

U.S. Department of Justice



United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Place  
New York, New York 10007

September 2, 2008

By Fax

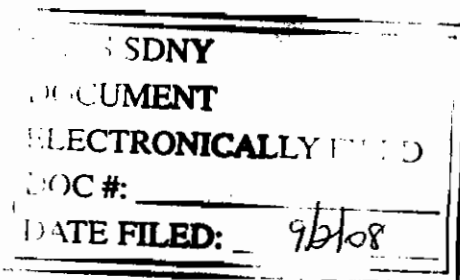
Honorable Colleen McMahon  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, N.Y. 10007

Re: United States v. Smith and Taylor  
07 Cr. 972

Dear Judge McMahon:

The Government writes, with the consent of defendant Taylor and in consultation with Your Honor's Deputy Clerk, to adjourn the pretrial conference currently scheduled for tomorrow to October 1, 2008 at 9:30. While counsel for Mr. Taylor and counsel for the Government have discussed on numerous occasions a disposition in the case, we have not been able to finalize a plea agreement. Should we reach an agreement, we will schedule the plea before the duty magistrate.

The Government requests, with the consent of the defendant, that the time between today and the new conference date be excluded from the Speedy Trial clock to permit the parties to continue discussions of a possible resolution of the case. The Government respectfully submits that the ends of justice served by such a continuance outweigh the best interests of the public and the defendant in a speedy trial pursuant to 18 U.S.C. § 3161(h)(8)(A).



Respectfully submitted,

MICHAEL J. GARCIA  
United States Attorney

By: Jeffrey A. Brown  
Jeffrey A. Brown  
Assistant United States Attorney  
(212) 637-1110

cc (by fax): Murray Richman, Esq.

TOTAL P.02

**MEMO ENDORSED**

9/2/08  
Matter Adj. to 10/1/08.  
Time Excluded through  
that date